

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

OCTOBER 15, 2007

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

Present

Harold Sanger, Chairman
Steve Lichtenfeld, Aldermanic Representative
Michael A. Schoedel, City Manager (left at 6:45 p.m.)
Jim Liberman
Marc Lopata

Absent:

Debbie Igielnik
Scott Wilson

Also Present:

Catherine Powers, Director of Planning & Development Services
Jason Jaggi, Planner
Kevin O'Keefe, City Attorney (left at 6:50 p.m.)

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off.

MINUTES – REGULAR MEETING OF OCTOBER 1, 2007

The minutes of the regular meeting of October 1, 2007 were presented for approval. The minutes were approved, after having been previously distributed to each individual member.

LOT CONSOLIDATION – 7516 & 7520 PARKDALE

Bill Massmann, Massmann Surveying, was in attendance at the meeting.

Catherine Powers explained that on September 8, 2004, the Plan Commission recommended approval of this lot consolidation, which was subsequently forwarded to and approved by the Board of Aldermen at their meeting of September 28, 2004. The plat was never recorded with the County, as required, and therefore, the approval has elapsed. Catherine stated that the plat consolidates both 9,200 square foot lots into one, 18,400 square foot lot and has not been altered since the approval back in 2004. Staff recommends approval of the lot consolidation plat with the conditions that the City Clerk signature block be revised to properly

reflect the current City Clerk's name and that proof of filing with St. Louis County be submitted to the City within 30 days of approval by the Board of Aldermen.

Mr. Massmann advised the members that the engineer and surveyor were not notified of the approval and therefore, the plat was never filed with the County. He apologized for this falling through the cracks.

Being no further questions or comments, Steve Lichtenfeld made a motion to recommend approval to the Board of Aldermen per staff recommendations. The motion was seconded by Marc Lopata and received unanimous approval of the members.

CONDITIONAL USE PERMIT – FITNESS CENTER/HEALTH CLUB – 130 S. BEMISTON AVE., SUITES 101 AND 102

Paul Miller, owner of 20 Minutes to Fitness, was in attendance at the meeting.

Catherine Powers explained that this is a request for a conditional use permit to operate a 3,009 square foot fitness center/health club and golf instruction academy at the subject location. A conditional use permit is required in the HDC High Density Commercial District for health clubs and academies. The business will occupy a portion of the first floor of the multi-tenant building. Proposed hours of operation are Monday through Friday from 8 a.m. to 7:00 p.m. and Saturdays from 8:00 a.m. to 4:00 p.m. The business will consist of a reception area, small conference room, physical therapist station and a fitness training area. Parking spaces are provided in the adjoining garage on a monthly basis. The lease indicates up to 17 spaces are available to the tenant. Ten (10) spaces are required for commercial parking, however, parking must be provided throughout occupancy. Signage has not been submitted. Catherine stated that staff's recommendation is to approve the conditional use permit to the Board of Aldermen with the conditions that at least ten (10) parking spaces be available for use by this tenant the entire time the business is in operation and that all signage receive City approval prior to installation.

Mr. Miller introduced himself. He stated that they have been occupying 200 S. Hanley for five years and now want to relocate. He stated this is not a typical fitness center as all clients are seen by appointment, receive one on one training and that the facility houses a registered nurse and physical therapist.

Chairman Sanger asked if the majority of the clients are occupants of the building.

Mr. Miller stated the clients vary. He stated the typical client is a 53 year old with orthopedic issues.

Marc Lopata asked how staff arrived at the 10 parking spaces.

Catherine Powers stated the figure is based on square footage (1 space/300 sq. ft.).

Chairman Sanger asked the number of employees.

Mr. Miller stated they currently employ 17 individuals, but that number is for their two locations. He stated that no more than 5 employees will be at this location at any given time.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve the conditional use permit per staff recommendations (outlined above). The motion was seconded by Mike Schoedel and unanimously approved by the members.

SITE PLAN REVIEW/ARCHITECTURAL REVIEW – NEW CONSTRUCTION – SINGLE FAMILY RESIDENCE – 66 ABERDEEN PLACE

Mr. Alvah Levine, project architect, and Mr. Jeff Kanefield, developer, were in attendance at the meeting.

Catherine Powers explained that the proposed project consists of the construction of a 2 story brick and stone single family residence with a three car detached garage, 12'-2" in height, at the rear of the property. The site measures 8,000 square feet. The proposed structure measures 3,647 square feet with a height of approximately 27'-10" as determined from average existing grade to the midpoint of the roof. Catherine indicated that accessory structures are allowed to measure up to 20 feet. Catherine continued by stating that the Zoning Ordinance allows up to 55% impervious coverage for new single family residences. The plans indicate that the existing impervious coverage is approximately 42%. The plans indicate that impervious coverage with the detached garage will be 47%, representing a relatively small increase of 5%. A storm sewer is located on Aberdeen. The applicant is proposing to pipe all downspouts and drains directly to this sewer. Trash storage on the civil site plan is within an enclosure off the garage and screened with a wooden fence. The HVAC units are shown on the site plan to be located on the rear of the house. With regard to the landscape plan, the plans show 8 caliper inches to be removed. The applicant is proposing 9 caliper inches of replacement trees and is proposing to preserve and protect five trees, including two street trees. Catherine stated that staff believes that the proposed new single family construction blends well with the neighborhood and is an improvement to the current structure. She noted that the Hillcrest Trustees have not approved the plans because of the three car garage in the rear yard. Enclosed, please find a petition from neighbors also protesting the three car garage. As a matter of clarification, the neighbors' protest is based, in part, on the assumption that the Zoning Ordinance only requires two off-street parking spaces when, in fact, Article 31 of the Ordinance only requires one space for single family residences. City staff has spoken to the Trustees throughout the process and worked with the developer to change some of the Trustees' concerns. However, the City cannot enforce subdivision indentures. The project is only 47% impervious coverage compared to the 55% allowed by the Ordinance, the garage height is only 12'-2" compared to the 20 feet allowed by the Ordinance and meets all other City regulations. The City has approved several three car garages in the R-2 Zoning District and there are some in Hillcrest, although they may be on larger lots. While staff understands the Trustees' concerns, it is staff's opinion that the project meets the criteria of the Zoning Ordinance and recommends approval of the site plan as submitted.

Mr. Levine indicated that this is a modest project at 3,700 square feet with a low sloping roof and small 3-car garage. He stated the coverage is well under the maximum allowable and that the height of the garage at 12' to the midpoint of the roof.

Chairman Sanger asked when the plans were prepared.

Mr. Levine indicated almost 2 months ago.

Catherine Powers indicated that the plans that were submitted to the City were received on September 19th.

Jim Liberman asked about drainage.

Mr. Levine stated that everything will be piped to the storm sewer. He informed the members that the developer wants the 3-car garage so as not to overburden the street with additional parked cars. He stated that he understands the concern of its mass, but that it is a very low profile garage and similar in size to another garage which received approval by the Trustees and the City. He stated he believes the concern is that it is a 3-car garage versus a 2-car garage.

Chairman Sanger asked the width of the garage.

Mr. Levine indicated 30 feet.

Chairman Sanger asked the typical width of a 2-car garage.

Mr. Levine indicated 21 to 27 feet. He indicated that the garage at 21 Arundel is only 1'-4" smaller than this proposed garage.

Marc Lopata stated that the impervious coverage increase is actually 13%; not 5% as noted by staff. He stated he talked with the Trustees and he realizes that Trustee approval is not a requirement for approval, but believes that an agreement should be reached between the applicant and the Trustees. He stated the existing footprint of the structure is 1,056 and the new footprint is 2,551; a 150% increase in footprint. He stated he does not see that kind of density in this neighborhood and believes the house is too large for the lot, which is a downside for the neighborhood and the City, but an upside for the developer. He referred to the earlier comment that the developer wants a 3-car garage as it is a marketing advantage, but that there are no other 3-car garages in the neighborhood.

Mr. Levine stated that there are other large garages that have been constructed recently as well as some older ones. Mr. Levine mentioned that he has photographs of other 3-car garages. He stated the house is very modest compared to others (referring to one on Dartford which has 51% coverage and another on Arundel which has 54.7% coverage). He stated that it was designed to provide more yard area and that there is 35-feet of rear yard space. He reiterated that he believes this to be a modest project.

Mr. Kanefield presented a poster board contained photographs of other area 3-car garages. He stated that there are eight others on 50' wide lots that are the same size or larger than the one he is proposing. He indicated one of the garages is a 4-car garage and that a few of them are 2 stories tall.

Catherine Powers stated that 55% coverage seemed to be reasonable and was thought to not create drainage problems or the overbuilding of sites. She reiterated that the 55% coverage is the maximum allowed and that many developers get right up to that 55%, so when a site plan came in for new construction at only 47%, staff was pleased.

Chairman Sanger asked for clarification that this project only represents coverage at 47%.

Catherine Powers confirmed.

Chairman Sanger commented that 47% coverage is modest.

Catherine Powers agreed. She stated it is uncommon to see coverage at this low percentage.

Chairman Sanger stated that the garage could be reduced in size somewhat (down to a 2-car garage) and the size of the house increased and still get to at or below 55% coverage.

Catherine Powers replied "yes". She added that it would certainly depend on how the plans were drawn, but that is quite possible.

Marc Lopata commented that he counts five, 3-car garages on Aberdeen and Arundel, but many are in the City or on Dartford.

Jim Liberman stated that this garage covers 60% of the width of the lot. He asked why build something that the neighbors and Trustees oppose.

Mr. Kanefield stated he did his due diligence and read the subdivision indentures. He stated he believes they are trying to use this as an example. He indicated that the Trustee two doors down from this subject property put on an addition and is at 55% coverage and that a former Trustee has constructed a 3-car garage.

Jim Liberman stated he would rather see the house larger and the garage smaller.

Mr. Kanefield commented that he could add on to the house and keep the garage the same size and still stay within the 55% coverage allowed. He presented a letter signed by Warren Hauff indicating his approval of the project.

Mr. Levine questions if it is the number of cars versus the size of the garage that is the issue.

Jim Liberman asked if he would be willing to do a 2-car garage.

Mr. Levine stated they need 30 feet.

Chairman Sanger asked the typical size of a parking space.

Jason Jaggi indicated that for surface parking, 9-foot wide is standard.

Mr. Levine indicated the need for piers between the doors. He stated that this proposed house is shorter than the existing house due to the lower roofline. He stated that the existing structure is the smallest one in the neighborhood.

Marc Lopata asked why the existing house is not being restored.

Mr. Kanefield stated he looked in to doing that, but decided it would be better to demolish it and start over. He stated the Trustees concurred with that decision.

Marc Lopata stated he likes the existing structure; he walked through it. He indicated that the garage will have an impact on light and air and that Clayton Gardens is not the same environment as Hillcrest and would be opposed to Hillcrest looking like Clayton Gardens. He asked Mr. Kanefield what the house will list for.

Mr. Kanefield replied "\$1.5 million".

Marc Lopata asked who he will sell to.

Chairman Sanger announced that site plan review has nothing to do with who the property is sold to.

Steve Lichtenfeld commented that many homes in this area have fences to cut down the view of the rear yards and that a 2-car garage with a wall and a 3-car garage will have the same view. He stated that 64 Aberdeen has dense growth and as such, the view between the two properties will be minimal. He stated the property to the west (68 Aberdeen) has a 2 car garage plus a 2 car surface parking area. He stated he is not bothered by the garage, but is bothered by the lack of agreement with the Trustees. He stated that some type of agreement, accommodation or compromise (i.e. narrowing the garage) must be made to make this work. He stated he does believe buyers look for 3 car garages as people want to park their vehicles in a covered structure. He stated that eventually, there will be 1 car for each driver in each family. He stated that accommodation and communication is needed on both sides (developer and Trustees) and he hopes the 3-car garage is not forced out as there are many properties in the area that can accommodate 3 plus cars.

Mike Schoedel referred to lot coverage. He stated that staff has indicated a 5% increase when the actual impervious area is being increased by 13%; however, currently a good portion of the back yard is concrete. He stated he concurs with Steve Lichtenfeld in that when one drives down the alley, what is seen are fences and vegetation and believes this will be an improvement from the alley perspective.

Jim Liberman noted Mrs. Hauff's opposition letter versus her husband's support letter.

Ms. Jane Klammer (Trustee), 62 Aberdeen, advised the members that she has additional petitions signed by area owners who are in opposition of the project. She presented the petitions to City staff. She stated their concern is the garage and that the charge of the Plan Commission and Architectural Review Board is to preserve the character of the neighborhood. She stated that neither of her neighbor's have garages. She stated that they have had a pattern of approval throughout the life of the indentures, which are 100 years old.

Chairman Sanger asked how the indentures address garages.

Mr. Klammer replied "suitability".

Mr. Stan Mulvihill (Trustee), 16 Arundel, stated that although the Trustees recognize the City's Zoning Ordinance, the Trustees believe that 55% coverage is too much and that coverage is different than mass. He asked that the review consider how this project deals with the character of their neighborhood. He stated that this is the first time he has personally appeared before this Commission to appeal a plan. He stated that 83% of the homes in the Hillcrest Subdivision are within Clayton City limits and that most of them are 50-foot wide lots. He stated that the Trustees would prefer more livable space than a large garage and that the Trustees were able to talk three other homeowners into downsizing to a 2-car garage. He stated cars have always been parked on the streets in Hillcrest.

Chairman Sanger asked who came up with the regulation that a garage can only take up half the width of the lot.

Mr. Mulvihill responded "we did". He stated with respect to 21 Arundel, they assumed the garage would not be as wide as it is and that was their mistake. He stated of the 225 parcels in the Hillcrest Subdivision, 186 are in Clayton and 98% of those comply with the indenture regulations for outbuildings. He stated the value of Hillcrest is creating more living space in the house and that the mean sales figure for their subdivision is \$700,000.00 per transaction and that the market does not mandate 3-car garages. He indicated that Claverach Park generates \$834,000.00 per transaction and those houses have more living space versus than 3-car garages. He stated that approving this would reduce the value of their neighborhood. He reiterated that the proposed garage is too big.

Marc Lopata agreed with Mr. Mulvihill. He referred to the fines being imposed on MSD by the EPA for the erosion of the storm water systems due to the loss of pervious area. He stated the developers build and then leave.

Chairman Sanger stated he is struggling as to why this project is being met with so much objection. He stated when one travels down the alley, that area is not a prize part of Clayton and that in many cases, one cannot even see if there is a garage on a lot due to overgrowth, trash cans, etc. He stated this garage is only 1-foot, 4-inches larger than the aforementioned 2 car garage and believes that buyers want an amenity such as a 3 car garage. He stated that the 47% coverage is dramatically less than what could be put on this lot.

Marc Lopata stated that it has been brought up before that 55% coverage is arbitrarily high and that this issue warrants further discussion. He asked that a survey be conducted to get a comparison with other cities.

Chairman Sanger stated that maybe the residents should petition the City to develop a design district in this area, as other areas have done. He stated that the 55% coverage has worked. He commented that in 1912 (when the subject indentures were adopted), nobody even had a vehicle and now, many families have 3, 4 and even 5 cars.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve the site plan as submitted. The motion was seconded by Mike Schoedel and received the following vote: Ayes: Chairman Sanger, Mike Schoedel and Steve Lichtenfeld. Nays: Jim Liberman and Marc Lopata.

The architectural aspects of the project were now up for review.

Catherine Powers explained that the proposed residence will be constructed of brick with stone trim. A small amount of wood is proposed on the side and rear elevations. The roofing material will be architectural shingles, gray in color. Windows are wood casement, black in color. A railroad tie wall will be replaced with a masonry wall. The plans indicate that the wall will be interlocking and not brick or stone to match the house. The proposal includes the construction of a detached three-car garage, which is accessed from the alley. The garage is brick and blends well with the main structure. Staff believes that the house blends well with the neighborhood and recommends approval with the condition that the Board review and approve the material to be used for the rear wall.

Mr. Levine presented a color rendering to the members. A sample of the varying shades of dark brown brick were presented along with samples of the roof (architectural grade, dark brown/gray) and proposed flat versa-lok for the retaining wall. Mr. Levin indicated that the wall will only be one to one and a half feet in height.

Mike Schoedel asked the location of the wall.

Mr. Levine stated it will be at the rear of the property along the garage. He stated the house is brick on all sides with a small portion of concrete board. He stated the garage will have the same brick on 3 ½ sides and the roofs on the house and garage will match.

Mike Schoedel asked if anyone other than the property owner will see the retaining wall.

Mr. Levine replied “no”.

Chairman Sanger asked if there is an alternative to the versa-lok.

Mr. Levine stated he would actually like to eliminate the wall altogether, but is not sure if that can be done.

Steve Lichtenfeld commented that versa-lok has not been approved.

Catherine Powers stated that Belgard is a material that has been approved.

Steve Lichtenfeld stated he would like to see the wall material revised or the wall itself eliminated.

Note: Mike Schoedel left the meeting (6:45 p.m.).

Chairman Sanger stated that this is something that staff can determine.

Marc Lopata asked about the portion of the house on the front elevation that sticks out.

Mr. Levine stated that is a garden window located over the kitchen sink.

Marc Lopata stated it is a nice house for a spec house, but that it does not have the architectural pizzazz that the existing house has. He stated he would like to see more on the front elevation to help enhance its appearance.

Steve Lichtenfeld stated he believes the house will fit in nicely.

Jim Liberman agreed.

Marc Lopata asked about the rear patio.

Mr. Levine stated that feature has been included in the impervious coverage calculations.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve with the condition that staff decide the outcome of the retaining wall. The motion was seconded by Marc Lopata and unanimously approved by the Board.

SITE PLAN REVIEW/ARCHITECTURAL REVIEW – NEW CONSTRUCTION – SINGLE FAMILY RESIDENCE – 141 N. FORSYTH BLVD.

Ms. Lauren Strutman, project architect, was in attendance at the meeting. Also in attendance were Lauren's associate and architect, Ralph Welker, Robert Slavin, owner, Scott Runyon, developer and Larry Wurm, civil engineer.

Catherine Powers explained that the proposed project consists of the construction of a 4,871 square foot, 2-story brick and stone single-family residence with a two-car rear entry garage in the Clayton Gardens Subdivision and Urban Design District (UDD). The site measures approximately 9,600 square feet and is located in the Clayton Gardens subdivision and Urban Design District. The proposed structure has a height of approximately 30 feet as determined from the average existing grade to the midpoint of the roof. Catherine stated that the Clayton Gardens UDD District allows up to 55% for new single family residences with an at-grade, rear entry garage. The plans indicate that the existing impervious coverage is 4,877 square feet or approximately 50.8% of the site. The new plans show impervious coverage at 5,125 square feet or 53.39% of the site, representing a small increase of 2.6%. A storm sewer is located on the north side of the property. The applicant is proposing to connect all downspouts and drains directly to this sewer. The plans show steps leading to a lawn area to the rear. Previous proposals called for a fireplace and spa to be located in this area. Due to impervious coverage restrictions, these features have been removed, but the steps remain. In addition, the walkway leading from the sidewalk to the house is proposed to be 9-feet which is unusually wide. Trash storage on the civil site plan is within an enclosure off the driveway and screened with a wood fence. The HVAC units are shown on the site plan to be located on the north side of the house approximately 10 feet from the property line and screened with a wood fence. The plans show 88 caliper inches of trees to be removed. The applicant is proposing 91-inches of replacement trees. The applicant is proposing to preserve and protect three trees, including two street trees. The landscape plan does not show City's Tree Protection standards. Catherine stated that this proposal represents the continuing trend for replacement homes in the Clayton Gardens subdivision and impervious coverage on the lot represents a minimal increase of 2.6%. Staff is of the opinion that the applicant has mitigated any storm water concerns by connecting all drains and downspouts directly to the storm sewer located adjacent to the property; however, staff does have concerns with the steps located on the rear of the property and the width of the front walk.

Only 155 square feet of impervious coverage can be added to this property to remain in compliance with the Zoning Ordinance. These steps indicate that this area may be improved at a later date with impervious materials. Any future improvements to this area must not go beyond the impervious requirement of 55%. As previously indicated, the front walk is proposed to be 9-feet wide, which is excessive. Staff recommends that the width be reduced to 5-feet which is more appropriate to the area. As previously indicated, a revised landscape plan must be submitted to staff which includes the City's Tree Protection Standards. Staff believes the impervious coverage and setbacks are in conformance with the R-2 Single Family Zoning Ordinance requirements and the Clayton Gardens Urban Design District. Staff recommends approval with the following conditions:

1. That the width of the front walk be reduced to 5-feet for staff review and approval,
2. That the steps in the rear yard be removed from the plan,
3. That the applicant provide a revised landscape plan showing the City's Tree Protection Standards, and
4. That the City's Tree Protection Standards be followed for all trees which are to remain.

Ms. Strutman presented a site plan to the members. She explained that the project provides very generous side yards. She noted the HVAC and trash areas on the site plan and indicated that the project includes connecting storm water drainage to the storm sewer.

Chairman Sanger asked about the sidewalk.

Ms. Strutman indicated that the homeowner likes the wide sidewalk and that as proposed, impervious coverage in the front yard is only at 26%. She stated the number of steps in the back yard can be reduced to three and that they are happy to comply with the City's tree protection standards.

Chairman Sanger reiterated that the property cannot exceed 55% impervious coverage.

Catherine Powers commented that staff believes the 9-foot wide walkway is excessive.

Steve Lichtenfeld stated he likes the 9-foot walkway as it fits well with the appearance of the house. He stated this house is lower than many others in the neighborhood.

Marc Lopata asked if the rear deck was included in the impervious coverage calculations.

Ms. Strutman and Catherine Powers replied "yes".

Marc Lopata indicated that he would like to see the HVAC units moved to the rear yard and that a fence be installed far enough away to meet manufacturer's clearance regulations.

Ms. Strutman reminded the members of the large side yard setbacks.

Marc Lopata stated that the impervious coverage increase is at 5%; not 2.6% as indicated by staff. He reiterated the storm water problems throughout the county and the untreated sewage due to the loss of pervious material. He stated that there are locations within Clayton where untreated sewage can be discharged onto the streets or creeks when the MSD system is overloaded during a storm. He recommended that the members visit MSD's website and look at the map.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve the site plan with staff recommendation No. 3 and that the number of steps in the rear yard be reduced in lieu of elimination. The motion was seconded by Marc Lopata and received unanimous approval of the Board.

The architectural aspects of the project were now up for review.

Catherine Powers explained that height mitigation, as required by the Clayton Gardens Urban Design District, is being mitigated through increased side yard setbacks. The required side yard setback is 8 feet and the applicant is proposing a 21.8 foot setback on the south side and a 15.2 foot setback on the north side. The proposed residence will be constructed of red brick with stone trim. A small amount of stucco is proposed on the rear bay. As proposed, a minor modification is needed to the Clayton Gardens Urban Design District to allow the third material. Windows will be casement, tan in color. A rear-entry at grade two-car garage is proposed. The driveway and turnaround walkway material proposed to be concrete but is not specified as exposed aggregate. The roofing material will be architectural shingles, majestic slate. Trash will be located in an enclosure at the rear off the driveway and screened with a wood fence. The HVAC units are located on the side of the house and screened with a wood fence. The landscape plan shows border plants around the house on the north side; however, the plantings are not shown around the units to provide additional screening. Catherine indicated that staff's recommendation is to approve with the following recommendations:

1. That the plantings as shown on the north side of the house be continued around the HVAC units to provide additional screening, and
2. That the minor modification to the Urban Design District be approved to allow the three exterior materials as proposed.

Ms. Strutman advised the members that the actual square footage of the structure is 4,202; not 4,871 as indicated in staff's memorandum. She stated the application submitted by the applicant indicated a square footage of 4,871, which number was not amended after original plan submission. She presented a sample of the brick, architectural slate roof, cast stone, window and stucco. Ms. Strutman stated that the windows are now proposed to be black wood clad, per sample presented.

Catherine Powers stated that the stucco is considered a third material, but it is realized this material is needed for this project and as such, a modification to the UDD Standards is required for the stucco to be approved.

Steve Lichtenfeld asked if there is one true fireplace and one gas fireplace on the south elevation.

Ms. Strutman replied "yes".

Jim Liberman asked about the height mitigation for the house to the south.

Catherine Powers stated that the height is mitigated by way of increased side yard setback.

Steve Lichtenfeld commented that the house fits the site very well.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve per staff recommendations (outlined above) including the use of exposed aggregate for the walkway. The motion was seconded by Jim Liberman and unanimously approved by the Board.

SITE PLAN REVIEW/ARCHITECTURAL REVIEW – NEW CONSTRUCTION – SINGLE FAMILY RESIDENCE – 405 CARSWOLD

Lauren Strutman, project architect and Scott Runyan, owner/developer, were in attendance at the meeting.

Catherine Powers explained that the proposed project consists of the construction of a 3,850 square foot, 2-story, 28.6 feet in height, brick and stone single-family residence with a two-car rear entry garage. The site measures approximately 7,500 square feet and is located in the Wydown Forest Subdivision. Catherine stated that the R-2 Single Family Dwelling District allows up to 55% impervious coverage. The plans indicate that the existing impervious coverage is 2,730 square feet or approximately 36.4% of the site. The new plans show impervious coverage at 4,127 square feet or 55% of the site, representing an increase of 18.6%. A storm sewer is located within an easement to the west of the property. The applicant is proposing to connect all downspouts and drains directly to this sewer. Trash storage as shown on the civil site plan is within an enclosure off the rear of the driveway turnaround and screened with a 6-foot high wood fence. The HVAC units are shown on the site plan to be located on the south side of the house approximately 6 feet from the property line and screened with a wood fence. Catherine indicated that this property contains several trees which will be removed to accommodate the new structure. The plans show 141 caliper inches of trees to be removed. The applicant is proposing 107-inches of replacement trees. The applicant is proposing to preserve and protect five trees, including two street trees. There are brick pavers located in the tree lawn which need to be removed at the request of the Public Works Department. The landscape plan does not show these pavers to be removed nor are the City's Tree Protections standards shown. Because of the caliper inch deficiency (34-inches), the developer will be required to pay \$4,080 into the City's Forestry Fund. Catherine stated that the existing home seems out of character with the other homes in the Wydown Forest Subdivision. The impervious coverage on the lot represents an increase of over 18.6% and the developer is proposing 55% impervious coverage, which is the maximum permitted by the Zoning Ordinance. It should be noted that future owners of this property will not be in compliance with the Zoning Ordinance for even the smallest increase in impervious coverage. However, staff is of the opinion that the applicant has mitigated any storm water concerns by connecting all drains and downspouts directly to the storm sewer located behind the property. As previously indicated, a revised landscape plan must be submitted to staff which includes the removal of the brick pavers in the tree lawn and the implementation of the City's Tree Protection Standards. Additionally, the applicant must provide a payment to the City's Forestry Fund of \$4,080 for the caliper deficiency prior to receiving a building permit. Staff believes the impervious coverage and setbacks are in conformance with the R-2 Single Family Zoning Ordinance requirements and recommends approval of the site plan with the following conditions:

1. That the applicant provide a revised landscape plan showing the removal of the brick pavers in the tree lawn and the City's Tree Protection Standards,
2. That the City's Tree Protection Standards be followed for all trees which are to remain, and
3. That the developer submit a payment of \$4,080 to the City's Forestry Fund for caliper deficiency prior to receiving a building permit.

Ms. Strutman noted the Trustees approval of the proposal. She provide a brief explanation of the project, depicting the locations of the driveway, HVAC units and trash area. She stated that all storm water drainage will be connected to the storm sewer and that the owner is willing to remove the brick pavers and pay into the Forestry Fund for the caliper deficiency.

Jim Liberman asked about the courtyard.

Ms. Strutman presented a color rendering and stated that the courtyard is designed to be used as outdoor living space/patio.

Steve Lichtenfeld asked about the retaining wall on the north side.

Ms. Strutman stated it is about 6" tall at the street up to 4-foot high maximum at the end. The wall is about 3-foot in height near the garage. She indicated that the majority of the wall is 2-feet in height.

Steve Lichtenfeld stated he thought the wall was much taller.

Marc Lopata stated that the increase in impervious coverage is 51%; not 18.5% as staff indicated. He stated the square footage is going from 2,730 to 4,127 and believes this is how the differences should be represented. He stated he walked through this house and talked to neighbors about the proposal and that he would like to see the new structure brought in a foot or two on the front and back. He stated that this is a drastic increase in impervious area. He asked where the money that is paid to the Forestry Fund goes.

Catherine Powers explained that the money goes into the general fund for the Public Works Department to plant new trees throughout the City.

Steve Lichtenfeld commented that the setback is close to the house to the north.

Chairman Sanger asked if the garage is underneath the deck.

Ms. Strutman replied "yes".

Mr. Peter Holtz, 411 Carswold, stated that the coverage increase is misconstrued. He stated this new house will end back where his deck is and it will loom over his house. He stated that this house, with the exception of maybe 1 or 2 other homes, is out of scale with the

neighborhood. He stated this will set the standard for all new home sizes in the area and that the existing trees do provide some coverage.

A discussion regarding how long the house has been on the market ensued.

Mr. Runyan indicated that it has been on the market for four to five months.

Mr. Holtz stated that there has been no interest in the property at \$1 million and that the price has dropped twice. He stated there is no typical back yard. He stated their neighborhood is diverse and that this price is out of line for them and that the size of the home is overwhelming.

Mr. David Bales, 419 Carswold, stated he believes it is a good idea to bring the size of the home in a foot or two. He stated he is glad to see the existing home demolished and that he believes the new structure fits in, but that it should be shrunk a bit. He indicated that there is no market for a million dollar home in Wydown Forest. He stated the proposed home, while beautiful, needs to be smaller as it will tower over the older homes. He stated that Mr. Holtz's home is 1,978 square feet; Ms. Bourque's home is 1,350 square feet and that home across the street on a double lot is 3,003 square feet. He stated his home is 1,891 square feet and Mr. Lisitano's home is 1,808 square feet. He stated he, too, is happy to see the existing home gone, but that the new home needs to be shrunk down.

Mr. June Bourque, 401 Carswold, stated that Andy Sepac approached her about the easement on her property and that this easement would be necessary to accommodate the new driveway. She stated as part of this agreement, she was to transform her breezeway. She stated she entered into a legal agreement with the developer to relinquish her easement. She stated that she has had problems with the project and that the contractors stopped the job due to non-payment and lack of materials.

Chairman Sanger asked for clarification.

Ms. Bourque stated that they were to build a sunroom and renovate her rear yard.

Chairman Sanger asked if permits were pulled for this work.

Ms. Bourque indicated that she did not believe so.

Catherine Powers stated that she believes this was a private agreement and will check to see if any permits were obtained.

Jason Jaggi stated that this prior agreement appears to be a document that was recorded with St. Louis County. He stated he believes the agreement, between the owners of 401 and 405 Carswold, allows the owners of 401 to maintain the encroachment.

Chairman Sanger stated that this sounds like a problem with the developer, which is not this Board's purview. He advised Ms. Bourque that this was an agreement she had with the developer, although he does appreciate her bringing this to the City's attention.

Jim Liberman asked if the patio is gone.

Mr. Bourque replied “no”.

Catherine Powers commented that staff is unaware of private agreements and suggested this item be continued for further review.

Ms. Strutman reiterated that this project is providing generous side yards. She stated the house is only 37.5’ wide, which is 12-foot less than what would be permitted.

Chairman Sanger commented that the coverage is at the maximum allowed.

Ms. Strutman agreed.

Chairman Sanger stated he agrees with Marc in that the house should be reduced a few feet in the front and back.

Being no further questions or comments, Jim Liberman made a motion to table the site plan review for this project. The motion was seconded by Marc Lopata and received unanimous approval of the members.

Jim Liberman made a motion to table the architectural aspects of the project. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

ARCHITECTURAL REVIEW – CARPORT AND REVOLVING DOOR – MARYLAND WALK – 8025 MARYLAND AVE.

Mr. Craig Saur, Conrad Properties Corporation, was in attendance at the meeting.

Catherine Powers explained that the project consists of the construction of a carport on the surface parking lot located on the east side of the property. The carport will provide covered parking for nine vehicles for use by Enterprise Bank and Trust. The proposed carport will be constructed of steel with a design complimentary to the building. The carport will be lighted from underneath the canopy. The existing storefront to the bank facing Maryland will be modified to include a revolving door. Because the carport does not meet the 5-foot setback criteria for accessory structures, the Planned Unit Development ordinance will be considered for amendment by the Board of Aldermen at their November 13, 2007 meeting. Catherine stated that staff recommends approval of the project.

Mr. Saur indicated that the carport will provide shelter from the weather for 9 vehicles and be located on the north side of the asphalt parking lot. A site plan was presented. Mr. Saur explained that these parking spaces will be utilized by Enterprise Bank.

A sample of the carport material was presented.

Mr. Saur stated that the carport sits next to a 15-foot retaining wall. He stated the pergola projects 10-feet and the canopy projects 8-feet.

Steve Lichtenfeld asked if they plan to provide cover for the other side.

Mr. Saur stated that they have no plans for another carport. He stated the proposed revolving door will provide an entrance off Maryland Avenue for the bank.

Being no further questions or comments, Marc Lopata made a motion to approve as submitted. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

CITY BUSINESS – DISCUSSION OF POSSIBLE SPECIAL MEETING

Catherine Powers asked the members if they preferred to hold a special meeting to discuss the draft Transit Oriented Development (TOD) District Regulations and a revision to the outdoor dining standards or if the next agenda is light, staff could put include these items.

Chairman Sanger left the decision to staff.

Catherine Powers stated that if a special meeting is set, she would like it to take place by November 1st. She asked the members if they were available on October 29th.

Staff was asked to send out an e-mail to determine the availability of all the members. Chairman Sanger, Marc Lopata and Steve Lichtenfeld indicated that they believed they would be available on the 29th.

Jim Liberman asked about the Maryland Walk sculpture.

Catherine Powers stated that she believed this to be an Art Commission issue. She stated there is a minor difference between what was approved and what was actually installed, although she believes at this time that the piece that was installed is what the ARB approved, but possible not what the Art Commission approved. She reminded the members that all public art goes to the Art Commission for recommendation to the ARB. She stated she would talk with the Director of the Art Commission about this situation.

Steve Lichtenfeld asked that the City re-review the 55% impervious coverage issue. He commented that the lots in Wydown Forest are smaller and that the existing homes are cottage style.

Catherine Powers stated that if different standards are desired, then the standards must be changed City-wide or the area must be designated an Urban Design District and go through that process; however, any projects that are pending prior to the adoption of a design district would not have to meet the new standards as they were not in place at the time of application.

Marc Lopata asked about the design districts.

Catherine Powers explained that the current design districts were selected due to their intense development pressure at the time. She stated that the Hillcrest Subdivision has seen only 3 new homes in 10 years. She informed the members of the substantial monetary undertaking to

develop a design district and the time it takes to adopt such a district. She reminded the members that these applications, as well as any that come in prior to such adoption, would be considered under the current standards. She stated that a City-wide implementation of a change in impervious coverage could be considered.

Jason Jaggi commented that it may make more sense to change the base regulations.

Marc Lopata stated he advised the Hillcrest Trustees to consider an Urban Design District, as the problem will accelerate.

Steve Lichtenfeld commented that Wydown Forest's smaller homes result in lower market values.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 8:05 p.m.

Recording Secretary